

10-12-00

VIA EXPRESS MAIL NO. EL629423599US

DATE OF DEPOSIT: October 10, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER 35 CFR 1.53(b)

Docket No: 600-1-087CIP/ DIV/CON	Anticipated Classification of this Application: Class. Subclass	Prior Application: 600-1-087CIP/DIV Examiner: Yucel, I.	Art Unit: 1636
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Address to: BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

This is a Request for Filing a ☒ Continuation ☐ Divisional Application under 37 CFR 1.53(b) of pending Application Serial No. 09/183,374, filed on October 30, 1998, of Jeffrey Friedman et al., for MODULATORS OF BODY WEIGHT, CORRESPONDING NUCLEIC ACIDS AND PROTEINS, AND DIAGNOSTIC AND THERAPEUTIC USES THEREOF.

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2. ☐ Prepare a copy of the prior application.
- 3.a. ☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown below in parentheses apply. A copy of the verified statement(s) filed in the prior application is enclosed.
- b. ☐ The Filing Fee is calculated below:

FOR:	NO. FILED	NO. EXTRA	RATE	BASIC FEE
BASIC FEE				\$ 760.00
TOTAL CLAIMS	-20=	0	X\$18 (\$9)	
INDEP. CLAIMS	-3=	0	X\$82(\$41)	
TOTAL FILING FEE				\$
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) PRESENTED (IF APPLICABLE)			X\$260(\$130)	
TOTAL OF ABOVE CALCULATIONS				\$
Reduction by 1/2 for filing by Small Entity (Note: 37 CFR 1.3, 1.27, 1.28). If applicable, verified statement must be attached.				
TOTAL				\$

4. ☒ The Commissioner is hereby authorized to charge any fees which may be required in addition to those calculated above, or credit any overpayment to Deposit Account No. 11-1153.

5. ☐ A check in the amount of \$_____ is enclosed.
6. ☐ Cancel in this application original Claims _____ of the prior application before calculating the Filing Fee.
7. ☒ Amend the specification by inserting before the first line the sentence:
This Application is a ☒ Continuation ☐ Division, of Application Serial No. 09/183,374 filed on October 30, 1998, now abandoned.
8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the Filing Date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
9. ☐ New Drawings are enclosed, seven () Sheets, Figures _____.
10. ☐ Priority of Application Serial No. _____, filed on _____ in _____ is claimed under 35 U.S.C. §119.
11. ☐ The certified copy has been filed in prior application Serial No. _____, filed _____.
12. ☒ The prior application is assigned of record to The Rockefeller University recorded on November 13, 1995, at Reel 7718/Frame 0306.
13. ☒ The power of attorney in the prior application is to:
Jack Matalon (Attorney, Registration No. 22,441); Stefan J. Klauber (Attorney, Registration No. 22,604); David A. Jackson (Attorney, Registration No. 26,742); Barbara L. Renda (Attorney, Registration No. 27,626); Raymond M. Speer (Attorney, Registration No. 26,810); Paul F. Fehlner (Attorney, Registration No. 35, 135); and Joseph M. Homa (Attorney, Registration No. 40,023).
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Address all future communications to:
David A. Jackson, Esq.
KLAUBER & JACKSON
411 Hackensack Avenue
Hackensack, New Jersey 07601.
14. ☐ A Preliminary Amendment is enclosed. (Calculate fees after entry of this Amendment.)
15. ☐ A copy of the Information Disclosure Statement from prior application. Pursuant to 37 C.F.R. 1.97(d), copies of the cited references are not enclosed.

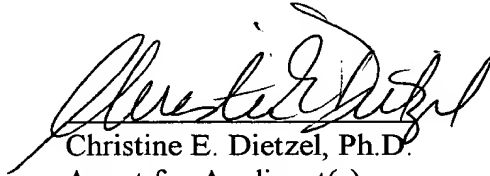
0966647-101000

16. [X] I hereby verify that the attached papers are a true copy of prior application
Serial No. 09/183,374, as originally filed on October 30, 1998.
17. [X] A paper copy of a Sequence Listing is included in the Application.
18. [X] A Request for Transfer of Computer Readable Form.
19. [X] I hereby state that the content of the paper and computer readable copies of the
Sequence Listing submitted in accordance with 37 CFR § 1.821(c) and (e),
respectively, are the same.

The undersigned declares further that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

October 10, 2000



Christine E. Dietzel, Ph.D.
Agent for Applicant(s)
Registration No. 37,309

KLAUBER & JACKSON
411 Hackensack Avenue
Hackensack, New Jersey 07601
(201) 487-5800

0968647-101000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
08/347,563	11/30/94	FRIEDMAN	

DAVID A JACKSON
KLAUBER & JACKSON
411 HACKENSACK AVENUE
HACKENSACK NJ 07601

0212/0325

KLAUBER & JACKSON NOT ASSIGNED

DATE MAILED: 1803

6001087CIP

10892 U.S. PTO
09/686647



NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

03/25/97

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$_____ for a ☐ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ large entity ☐ small entity (verified statement filed), is \$_____.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
- ☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$_____, including any multiple dependent claim fees, are required.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
- ☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$_____ processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

DOCKETED CPI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jeffrey M. Friedman et al.
SERIAL NO.: UNASSIGNED : Group Art Unit: UNKNOWN
FILED: HEREWITH : Examiner: UNKNOWN
FOR: MODULATORS OF BODY WEIGHT, CORRESPONDING
NUCLEIC ACIDS AND PROTEINS, AND DIAGNOSTIC
AND THERAPEUTIC USES THEREOF




REQUEST FOR TRANSFER OF COMPUTER READABLE FORM

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants request that the previously submitted sequence information filed in computer readable form in Application Number 08/347,563 be used in the present Application. This sequence information was the second computer readable form filed in that Application.

Respectfully submitted,


Christine E. Dietzel, Ph.D.
Agent for Applicant
Registration No. 37,309

KLAUBER & JACKSON
411 Hackensack Avenue
Hackensack, New Jersey 07601
(201)487-5800

Dated: *October 10, 2000*

COPY



KLAUBER & JACKSON
ATTORNEYS AT LAW
CONTINENTAL PLAZA
411 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

PATENT, TRADEMARK AND
COPYRIGHT CAUSES

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INTERNET: 626-1210@MCIMAIL.COM

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JOSEPH M. HOMA
LORI B. COHEN*
COUNSEL
JACK MATALON
LAWRENCE D. MANDEL

*BAR OTHER THAN N.J.

April 4, 1997

Assistant Commissioner of Patents
Washington, D.C. 20231

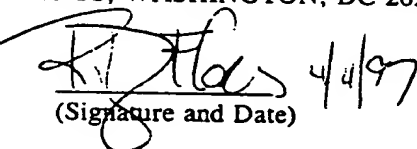
Attention: Box Missing Parts

Re: U.S. Patent Application
Applicant(s): Jeffrey M. Friedman et al.
Title: MODULATORS OF BODY WEIGHT, CORRESPONDING
NUCLEIC ACIDS AND PROTEINS, AND DIAGNOSTIC
AND THERAPEUTIC USES THEREOF
Serial No.: 08/347,563
Filed: November 30, 1994
Docket No.: 600-1-087 CIP

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the ASSISTANT COMMISSIONER OF PATENTS, WASHINGTON, DC 20231 on April 4, 1997.

Barbara L. Renda, Reg. No. 27,626
(Name of Registered Representative)


(Signature and Date)

SUBMISSION OF SEQUENCE LISTING

Sir:

Responsive to the Notice dated March 25, 1997 (copy enclosed), and in accordance with 37 CFR 1.821-1.825, Applicants submit herewith the following:

1. A paper copy of a Sequence Listing for insertion into the Application as filed at the end of the Specification and prior to the Claims.

Assistant Commissioner of Patents
April 4, 1997
Page 2

Docket No.: 600-1-087 CIP

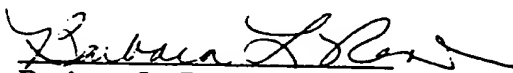
2. A copy of the Sequence Listing in computer readable form (ASCII text), submitted on a 3½" floppy disk compatible with IBM format.
3. A statement in support of the filing and submission of a Sequence Listing in accordance with 37 CFR 1.821 - 1.825.
4. A copy of the Notice to Comply with Requirements for Patent Applications containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

The time set for this response is May 25, 1997.

Applicants request favorable consideration and entry of the Sequence Listing submitted herewith and further and favorable processing of the present Application.

Applicants hereby authorize that any charges in addition to the above authorized that relate to the filing and processing of the present Application in accordance with 37 CFR 1.16 and 1.17 may be charged to Deposit Account No. 11-1153. A duplicate copy of this letter is provided for this purpose.

Respectfully submitted,


Barbara L. Renda
Attorney for Applicant(s)
Registration No. 27,626

BLR/rf
Enclosures

AUBER & JACKSON